



Mojave Desert Air Quality Management District

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Visit our web site: <http://www.mdaqmd.ca.gov>

Brad Poiriez, Executive Director

May 16, 2018

Carol Sutkus
State of California
Environmental Protection Agency
Air Resources Board
P. O. Box 2815
Sacramento, California 95812

Project Title: Amendment of MDAQMD Rule 102 – *Definition of Terms*

Dear Ms. Sutkus:

The Mojave Desert Air Quality Management District (MDAQMD) Amended Rule 102 – *Definition of Terms* on April 23, 2018. The MDAQMD requests that the California Air Resources Board submit amended Rule 102 to the United States Environmental Protection Agency (USEPA) for inclusion in the State Implementation Plan (SIP).

The amendment of Rule 102 – *Definition of Terms* was necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, to update them for consistency and clarity, and to address California Air Resources Board (CARB), United States Environmental Protection Agency (USEPA) and MDAQMD Technical Advisory Committee (TAC) comments. Rule 102 was most recently amended on January 22, 2018 and submitted as a SIP revision. This current amendment will supersede the prior submittal. A complete SIP discussion is contained in the accompanying Staff Report §(VI)(E). This rule must be included in the SIP as it provides applicable definitions for other SIP rules.

The District requests CARB submit to USEPA the proposed amendments to Rule 102 to replace the SIP versions in effect in the San Bernardino County portion of the MDAB and the Blythe/Palo Verde Valley portion of Riverside County. The District also requests removal of all prior versions of Rule 102 from the Blythe/Palo Verde Valley portion of the MDAQMD.

If you have any questions regarding this submittal, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122. Please note that all documents required for a complete submission were sent electronically on May 16, 2018.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvio". The signature is stylized with large, sweeping loops.

Alan J. De Salvio
Deputy Director – Mojave Desert Operations

AJD/tw

CARB SIP Submittal Request MD Rule 102 042318

CALIFORNIA AIR RESOURCES BOARD

SIP COMPLETENESS CHECKLIST
(Electronic Format)

*** TO BE COMPLETED BY DISTRICT AND RETURNED TO ARB ***

All rules submitted to the EPA as State Implementation Plan (SIP) revisions must be supported by certain information and documentation for the rule packages to be deemed complete for review by the EPA. Rules will not be evaluated for approvability by the EPA unless the submittal packages are complete. To assist you in determining that all necessary materials are included in rules packages sent to the ARB for submittal to the EPA, please fill out the following form and include it with the rule package you send ARB. See the ARB's Guidelines on the Implementation of the 40 CFR 51, Appendix V, for a more detailed explanation than is provided here. Adopted rules and rule amendments should be checked against U.S. EPA's Guidance Document for Correcting Common VOC & Other Rule Deficiencies (Little Blue Book, August 21, 2001) to ensure that they contain no elements which will result in disapproval by EPA.

District: Mojave Desert Air Quality Management District

Rule No: 102

Rule Title: Definition of Terms

Date Adopted or Amended: Amended April 23, 2018

ADMINISTRATIVE MATERIALS

Note: All documents should be in electronic format. Items that have signatures, initials, or stamps may be scanned.

<u>Attached</u>	<u>Not Attached</u>	<u>N/A</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>COMPLETE COPY OF THE RULE:</u> Provide an unmarked copy of the entire rule as adopted or amended by your District Board.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>UNDERLINE AND STRIKEOUT COPY OF THE RULE:</u> If an amended rule, provide a complete copy of the rule indicating in underline and strikeout format all language which has been added, deleted, or changed since the rule was last adopted or amended. (See Staff Report Appendix A)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>COMPLETE COPY OF THE REFERENCED RULE(S):</u> For any rule which includes language specifically referencing another rule, a copy of that other rule must also be submitted, unless it has already been submitted to EPA as part of a previous SIP submittal.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>PUBLIC NOTICE EVIDENCE:</u> Include a copy of the local newspaper clipping certification(s), stating the date of publication, which must be at least 30 days before the hearing. As an alternative, include a copy of the actual published notice of the public hearing as it appeared in the local newspaper(s). In this case, however, enough of the newspaper page must be included to show the date of publication. The notice must specifically identify by title and number each rule adopted or amended. (See Staff Report Appendix B)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>RESOLUTION/MINUTE ORDER:</u> Provide the Board Clerk certified resolution or minute order. This document must include certification that the hearing was held in accordance with the information in the public notice. It must also list the rules that were adopted or amended, the date of the public hearing, and a statement of compliance with California Health and Safety Code Sections 40725-40728 (Administrative Procedures Act).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>PUBLIC COMMENTS AND RESPONSES:</u> Submit copies of written public comments made during the notice period and at the public hearing. Also submit any written responses prepared by the District staff or presented to the District Board at the public hearing. A summary of the public comments and responses is adequate. If there were no comments made during the notice period or at the hearing, please indicate N/A to the left. (See Staff Report Appendix C)

SIP COMPLETENESS CHECKLIST (Electronic Format)

*** TO BE COMPLETED BY DISTRICT AND RETURNED TO ARB ***

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>RULE EVALUATION FORM:</u> See instructions for completing the Rule Evaluation Form and the accompanying sample form. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>NON-EPA TEST METHODS:</u> Attach all test methods that are referenced in your rule that do not appear in 40 CFR 51, 60, 61, 63, or have not been previously submitted to EPA. EPA methods used in other media such as SW846 for solid waste are not automatically approved for air pollution applications. Submittal of test methods that are not EPA-approved should include the information and follow the procedure described in Region 9's "Test Method Review & Evaluation Process." |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>MODELING SUPPORT:</u> Provide if appropriate. In general, modeling support is not required for VOC and NOx rules to determine their impacts on ozone levels. Modeling is required where a rule is a relaxation that affects large sources (≥ 100 TPY) in an attainment area for SO ₂ , directly emitted PM ₁₀ , CO, or NO _x (for NO ₂ purposes). In cases where EPA is concerned with the impact on air quality of rule revisions which relax limits or cause a shift in emission patterns in a nonattainment area, a reference back to the approved SIP will be sufficient provided the approved SIP accounts for the relaxation and provided the approved SIP used the current EPA modeling guidelines. If current EPA modeling guidelines were not used, then new modeling may be required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>ECONOMIC AND TECHNICAL JUSTIFICATION FOR DEVIATIONS FROM EPA POLICIES:</u> The District staff report or other information included with the submittal should discuss all potential relaxations or deviations from RACT, RACM, BACT, BACM, enforceability, attainment, RFP, or other relevant EPA requirements. This includes, for example, demonstrating that exemptions or emission limits less stringent than the presumptive RACT (e.g., a CTG) meet EPA's 5 percent policy, and demonstrating that all source categories exempted from a RACM/BACM rule are de minimus according to EPA's RACM/BACM policy. (See Staff Report) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>ADDITIONAL MATERIALS:</u> Provide District staff reports and any other supporting information concerning development of the rule or rule changes. This information should explain the basis for all limits and thresholds contained in the rule. |

APCD/AQMD RULE EVALUATION FORM – Page 1
(Electronic Format)**I. GENERAL INFORMATION**District: Mojave Desert Air Quality Management DistrictRule No(s): 102 Date adopted/Amended/Rescinded: Amended 04/23/18Rule Title(s): Definition of TermsDate Submitted to ARB: 05/16/18If an Amended Rule, Date Last Amended (or Adopted): 01/22/18Is the Rule Intended to be Sent to the U.S. EPA as a SIP Revision? ☒ Yes ☐ No (If No, do not complete remainder of form)District Contact: Tracy Walters Phone Number: (760) 245-1661 x6122 E-mail Address: twalters@mdaqmd.ca.govNarrative Summary of New Rule or Rule Changes: ☐ New Rule ☒ Amended Rule

The proposed amendments to Rule 102 shift common definitions used in the MDAQMD rulebook to Rule 102, and update them for consistency and clarity. This amendment is in response to comments received from CARB, USEPA, and the Technical Advisory Committee (TAC) of the MDAQMD.

Pollutant(s) Regulated by the Rule (Check): ☐ ROG ☐ (NOx) ☐ SO2
☐ (CO) ☐ PM ☐ TAC (name): _____**II. EFFECT ON EMISSIONS**

Complete this section ONLY for rules that, when implemented, will result in quantifiable changes in emissions. Attach reference(s) for emission factor(s) and other information. Attach calculation sheet showing how the emission information provided below was determined.

Net Effect on Emissions: ☐ Increase ☐ Decrease ☒ N/AEmission Reduction Commitment in SIP for this Source Category: N/AInventory Year Used to Calculate Changes in Emissions: N/A Area Affected: N/AFuture Year Control Profile Estimate (Provide information on as many years as possible):
N/A

APCD/AQMD RULE EVALUATION FORM - Page 2
(Electronic Format)

Baseline Inventory in the SIP for the Control Measure: N/A

Emissions Reduction Commitment in the SIP for the Control Measure: N/A

Revised Baseline Inventory (if any): N/A

Revised Emission Reduction Estimate (if developed): N/A

Note that the district's input to the Rule Evaluation Form will not be used as input to the ARB's emission forecasting and planning.

III. SOURCES/ATTAINMENT STATUS

District is: ☐ Attainment ☐ Nonattainment ☒ Split

Approximate Total Number of Small (<100 TPY) Sources Affected by this Amendment: 0

Percent in Nonattainment Area: 0%

Number of Large (\geq 100 TPY) Sources Controlled: 0 Percent in Nonattainment Area: 0%

Name(s) and Location(s) (city and county) of Large (\geq 100 TPY) Sources Controlled by Rule *(Attach additional sheets as necessary):*

IV. EMISSION REDUCTION TECHNOLOGY

Does the Rule Include Emission Limits that are Continuous? ☐ Yes ☒ No

If Yes, Those Limits are in Section(s) N/A of the Rule.

Other Methods in the Rule for Achieving Emission Reductions are: _____

V. OTHER REQUIREMENTS

The Rule Contains:

Emission Limits in Section(s): N/A Work Practice Standards in Section(s): N/A

Recordkeeping Requirements in Section(s): N/A Reporting Requirements in Section(s): N/A

APCD/AQMD RULE EVALUATION FORM - Page 3
(Electronic Format)

VI. IMPACT ON AIR QUALITY PLAN

☒ No Impact ☐ Impacts RFP ☐ Impacts attainment

Discussion: The amendment of Rule 102 does not have any potential environmental impact because the amendment simply consolidates and clarifies existing common definitions in the District rulebook in one definition rule. Therefore, this rule does not have any impact upon the emission of air contaminants.

RESOLUTION NO. 18-10

1 **A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE**
2 **DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS,**
3 **CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 102 –**
4 ***DEFINITION OF TERMS* AND DIRECTING STAFF ACTIONS.**

5 On April 23, 2018, on motion by Member BARBARA RIORDAN seconded by
6 Member ED CAMARGO, and carried, the following resolution is adopted:

7 **WHEREAS**, the Mojave Desert Air Quality Management District (MDAQMD) has
8 authority pursuant to California Health and Safety Code (H&S Code) §§40702, 40725-40728
9 to adopt, amend or repeal rules and regulations; and

10 **WHEREAS**, the MDAQMD is proposing to amend Rule 102 – *Definition of Terms*
11 for inclusion in the current rulebook; and

12 **WHEREAS**, many terms are defined in multiple district rules; and

13 **WHEREAS**, staff has determined that the rulebook will be more clear and consistent
14 by shifting common definitions to Rule 102 and updating definitions for consistency; and

15 **WHEREAS**, this rule is proposed for amendment in response to comments received
16 from the California Air Resources Board (CARB), the United States Environmental
17 Protection Agency (USEPA) and the Technical Advisory Committee (TAC); and

18 **WHEREAS**, the amendment of Rule 102 – *Definitions of Terms* will be an ongoing
19 process, with Rule 102 updated as needed when other District rules are proposed for
20 amendment and contain definitions that need to be moved; and

21 **WHEREAS**, the proposed amendments to Rule 102 – *Definition of Terms* are
22 necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to
23 update them for consistency and clarity; and

24 **WHEREAS**, the proposed amendments to the rule are necessary as indicated herein
25 and in the supporting documentation; and

26 **WHEREAS**, the MDAQMD has the authority pursuant to H&S Code §40702 to
27 amend rules and regulations; and

28 **WHEREAS**, the proposed amendments to Rule 102 are clear in that they are written
so that the persons subject to the rule can easily understand the meaning because definitions

RESOLUTION NO. 18-10

1 have been consolidated and updated for consistency; and

2 **WHEREAS**, the amendments to Rule 102 are in harmony with, and not in conflict
3 with, or contradictory to existing statutes, court decisions, or state or federal regulations;
4 and

5 **WHEREAS**, the proposed amendments do not impose the same requirements as any
6 existing state or federal regulation; and

7 **WHEREAS**, the proposed amendments to Rule 102 are needed in order shift
8 common definitions used in the MDAQMD rulebook to Rule 102, and to update them for
9 consistency and clarity; and

10 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to
11 H&S Code §40725, concerning the amendments to Rule 102; and

12 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR
13 §15308) for the proposed amendments to Rule 102, completed in compliance with the
14 California Environmental Quality Act (CEQA), has been presented to the Governing Board
15 of the MDAQMD; each member having reviewed, considered and approved the information
16 contained therein prior to acting on the proposed amendments to Rule 102, and the
17 Governing Board of the MDAQMD having determined that the proposed amendments will
18 not have any potential for resulting in any adverse impact upon the environment; and

19 **WHEREAS**, the Governing Board of the MDAQMD has considered the evidence
20 presented at the public hearing; and

21 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the
22 MDAQMD finds that the amendments to Rule 102 – *Definition of Terms* are necessary,
23 authorized, clear, consistent, non-duplicative and properly referenced; and

24 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD
25 hereby makes a finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and
26 certifies the Notice of Exemption for the proposed amendments to Rule 102; and

27 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD does
28 hereby adopt, pursuant to the authority granted by law, the proposed amendments to Rule

RESOLUTION NO. 18-10

102, as set forth in the attachments to this resolution and incorporated herein by this reference; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption, and that the Executive Office Manager is directed to file the Notice of Exemption in compliance with the provisions of CEQA.

PASSED, APPROVED and ADOPTED by the Governing Board of the Mojave Desert Air Quality Management District by the following vote:

AYES: 9 MEMBER: CAMARGO, COLE, COX, DECONINCK, LOVINGOOD, PEREZ, RIORDAN, STANTON, WILLIAMS


NOES: MEMBER:

ABSENT: 4 MEMBER: HERNANDEZ, LEONE, RAMOS, RUSS

ABSTAIN: MEMBER:

)
STATE OF CALIFORNIA)
) SS:
COUNTY OF SAN BERNARDINO)

)
I, Deanna Hernandez, Senior Executive Analyst of the Governing Board of the Mojave Desert Air Quality Management District, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the same appears in the Official Minutes of said Governing Board at its meeting of April 23, 2018.


Senior Executive Analyst
Mojave Desert Air Quality Management District

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #5

DATE: March 26, 2018

RECOMMENDATION: Set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 102 – *Definition of Terms* and approval of California Environmental Quality Act (CEQA) documentation.

SUMMARY: This item officially sets the date for the mandatory public hearing to be held on the amendment of Rule 102. Rule 102 is proposed for amendment to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity.

CONFLICT OF INTEREST: none.

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 102 – *Definition of Terms* for inclusion in the current rulebook.

Many terms are defined in multiple district rules. Staff has determined that the rulebook will be more clear and consistent by shifting common definitions to Rule 102 and updating definitions for consistency. This rule is proposed for amendment in response to comments received from the United States Environmental Protection Agency (USEPA) and the Technical Advisory Committee (TAC). The amendment of Rule 102 – *Definitions of Terms* will be an ongoing process. Rule 102 will continue to be updated as needed when other District rules are proposed for amendment and contain definitions that need to be moved.

A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 102 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

I, Deanna Hernandez
CUSTODIAN OF RECORDS OF MOJAVE DESERT AIR
QUALITY MANAGEMENT DISTRICT, HEREBY CERTIFY
THE FOREGOING TO BE A FULL, TRUE AND CORRECT
COPY OF THE RECORD OF THE ACTION AS THE SAME
APPEARS IN THE OFFICIAL MINUTES OF SAID
GOVERNING BOARD MEETING

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT.

Dated: March 26, 2018

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #11

DATE: April 23, 2018

RECOMMENDATION: Conduct a public hearing to consider the amendment of Rule 102 – *Definition of Terms*: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending Rule 102 and directing staff actions.

SUMMARY: Rule 102 is proposed for amendment to shift common definitions used in the Mojave Desert Air Quality Management District (MDAQMD) rulebook to Rule 102, and to update them for consistency and clarity. This amendment is in response to comments received from the California Air Resources Board (CARB), United States Environmental Protection Agency (USEPA) and the Technical Advisory Committee (TAC).

CONFLICT OF INTEREST: None

BACKGROUND: The MDAQMD has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 102 – *Definition of Terms* for inclusion in the current rulebook.

Many terms are defined in multiple district rules. Staff has determined that the rulebook will be more clear and consistent by shifting common definitions to Rule 102 and updating definitions for consistency. This rule is proposed for amendment in response to comments received from CARB, USEPA and the TAC. The amendment of Rule 102 – *Definitions of Terms* will be an ongoing process. Rule 102 will continue to be updated as needed when other District rules are proposed for amendment and contain definitions that need to be moved.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 1104 pursuant to the requirements of CEQA.

I, Deanne Hernandez
**CUSTODIAN OF RECORDS OF MOJAVE DESERT AIR
QUALITY MANAGEMENT DISTRICT, HEREBY CERTIFY
THE FOREGOING TO BE A FULL, TRUE AND CORRECT
COPY OF THE RECORD OF THE ACTION AS THE SAME
APPEARS IN THE OFFICIAL MINUTES OF SAID
GOVERNING BOARD MEETING**

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #11

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REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or about April 9, 2018.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

ACTION OF THE GOVERNING BOARD

ADOPTED

Upon Motion by **BARBARA RIORDAN**, Seconded by **ED CAMAGRO**, as approved by the following roll call vote:

Ayes: **9** **CAMARGO, COLE, COX, DECONINCK, LOVINGOOD,
PEREZ, RIORDAN, STANTON, WILLIAMS**

Noes:

Absent: **4** **HERNANDEZ, LEONE, RAMOS, RUSS**

Abstain:

Vacant:

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY 

Dated: April 23, 2018

Ref. Resolution 18-10, "A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 102 – DEFINITION OF TERMS AND DIRECTING STAFF ACTIONS."

Rule 102

Definition of Terms

The definitions contained in this Rule shall apply to all rules within this Rulebook except when a term is otherwise provided in a specific rule or regulation.

- (1) Actual Emissions – The actual rate of emissions of a Regulated Air Pollutant which accurately represent the emissions from an Emissions Unit. Such emissions shall be calculated using the verified actual operating hours; production rates; and types of materials processed, stored or combusted as applicable.
- (2) Adhesive – Any substance that is used to bond one surface to another by attachment.
- (3) Aerosol Coating Product – A pressurized Coating product that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application.
- (4) Aggregate Emissions – A facility-wide sum of Actual Emissions, on an emissions category specific basis, from emission units operated at a single facility.
- (5) Agricultural Burning – Open outdoor fires used in agricultural operations in the growing of crops or raising of fowls or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat or disease and pest prevention. Agricultural burning also includes open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.
- (6) Agricultural Operations – Any operation occurring on a ranch or farm directly related to the growing of crops, or raising of fowls or animals for the primary purpose of making profit or for a livelihood, including the growing and harvesting of crops or the raising of fowl or animals, or conducting agricultural research or instruction by an educational institution. Agricultural Operations do not include activities involving the processing or distribution of crops or fowl.
- (7) Agricultural Wastes – Unwanted or unsalable materials produced wholly from Agricultural Operations, other than forest or range management operations, directly related to the growing of crops or animals for the primary purpose of making a profit or for a livelihood. The term does not include wastes created by land use conversion to non-agricultural purposes unless the destruction of such waste by open outdoor fire is ordered by the County or State Agricultural Commissioner upon his determination that the waste is infested with infectious transmittable or contagious plant disease which is an immediate hazard to agricultural operation conducted on adjoining or nearby property.
- (8) Air-Assisted Airless Spray – A coating application system in which the coating fluid is supplied to the gun under fluid pressure and air is combined at the spray cap.

- (9) Air Contaminant or Air Pollutant – Any discharge, release, or other propagation into the atmosphere directly or indirectly caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matters, acids or any combination thereof.
- (10) Air-dried Coating – A coating that is cured at a temperature below 90 °C (194 °F).
- (11) Air Pollution Control Officer (APCO) – That person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of the California Health and Safety Code §40750 and his or her designee.
- (12) Annual Heat Input – The total Heat Input of fuels, in Btu, burned by a Permit Unit in a calendar year, as determined from the Higher Heating Value (HHV) and cumulative annual usage of each fuel.
- (13) Architectural Coatings – Any coatings applied to stationary structures and their appurtenances; to mobile homes, to pavements, or to curbs.
- (14) Atmosphere – That portion of the air which envelopes or surrounds the earth.
- (15) Baked Coating – Any Coating that is cured at a temperature at or above 90 °C (194 °F).
- (16) Best Available Retrofit Control Technology (BARCT) – an emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each class or category of source.
- (17) Boiler or Steam Generator – Any combustion equipment (fired with any fuel) used to produce steam. Boiler or Steam Generator does not include any waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine.
- (18) Bottom Fill Loading (Bottom Loading) – Any tank, truck, trailer or railroad tank car shall be considered to be bottom loaded when the fuel transfer and vapor return lines have separate, independent, and dedicated attachments on the delivery vehicle, when the inlet is flush with the bottom of the storage device, and when the delivery vehicle hatch remains closed during gasoline transfer.
- (19) Boundaries of the District – That region within California within which these rules are applicable. See Rule 103 – *Description of District Boundaries* for a description of the MDAQMD boundaries.
- (20) Breakdown – A condition other than a normal operating mode caused by a non-preventable mechanical or electrical failure, out of tolerance condition, or accidental occurrence such as fire, explosion, flooding, earthquake, etc.
- (21) California Air Resources Board (CARB) – The California Air Resources Board, the Executive Officer of CARB and his or her authorized representative, the powers and duties of which are described in Part 2 of Division 26 of the California Health & Safety Code (commencing with §39500).

- (22) Capture Efficiency (or Capture System Efficiency) – The portion (expressed as a percentage) of the pollutants from an emission source that is delivered to an add-on control device.
- (23) CARB Certified (Certified by CARB) – A vapor recovery system, equipment, or any component thereof, for which the California Air Resources Board (CARB) has evaluated its performance and issued a valid Executive Order pursuant to Health and Safety Code Section 41954. Each component of a system is a separate CARB certified item and cannot be replaced with a non-certified item or other items that are not certified for use with the particular system. Except for qualified repairs, a CARB certified component shall be as supplied by the qualified manufacturer. A rebuilt component shall not be deemed as CARB certified unless the person who rebuilds the component is authorized by CARB to rebuild the designated CARB certified component.
- (24) Clear Topcoat – A final Coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film. Including, but not limited to, Varnishes.
- (25) Coating – A material that is applied to a surface and forms a film in order to identify, beautify, protect, convey a message, or minimize detection of such surface. Coating includes, but is not limited to, materials such as Topcoats, stains, Sealers, primers, fillers, conversion Varnish, pigmented Coating, multicolored Coating, moldseal Coating, washcoat and toner.
- (26) Combustible Refuse – Any solid or liquid combustible waste material containing carbon in a free or combined state.
- (27) Combustion Contaminants – Particulate Matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.
- (28) Compliance Assurance Monitoring – Total equipment, mechanism(s), and/or technique(s) used to demonstrate and insure compliance with Control Device Efficiency requirements. Such monitoring is used to analyze and/or provide a permanent record of process parameters, such as temperatures, pressures and flow rates.
- (29) Compliance Schedule – The date or dates by which a source or category of sources is required to comply with specific emission limitations contained in any air pollution rule, regulation, or statute and with any increment of progress toward such compliance.
- (30) Compression-Ignited (IC) Internal Combustion Engine – An Internal Combustion Engine with operating characteristics significantly similar to the theoretical diesel combustive cycle. The regulation of power by controlling fuel supply in lieu of a throttle is indicative of a compression ignited engine.
- (31) Continuous Emissions Monitoring System (CEMS) – All of the equipment that may be required to meet the data acquisition and availability requirements, to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

- (32) Control Device Efficiency – The ratio, in percent, of the weight of the pollutant removed by a control device from the process effluent stream entering the control device compared to the weight of pollutant entering the control device, both measured simultaneously.
- (33) Control Equipment – Air pollution control equipment which eliminates, reduces or controls the issuance of air contaminants.
- (34) Dip Coat (er) – A coating process and application system that coats an object by submerging the object in a vat of Coating, and subsequently withdrawing the object and draining off the excess Coating.
- (35) District – See Mojave Desert Air Quality Management District.
- (36) Dusts – Minute solid particles released into the air by natural forces or by mechanical processes including, but not limited to, crushing, grinding, milling, drilling, demolition, shoveling, conveying, covering, bagging, grading, leveling, excavation, and sweeping.
- (37) Electrostatic Application – A method of applying Coating whereby atomized paint droplets are charged and subsequently deposited on the substrate by electrostatic attraction.
- (38) Emission Control System Operating Parameters – Any operating parameter(s) that the District deems necessary to analyze for the determination of compliance. Such parameters include, but are not limited to, the reagent flow rate, catalyst temperature, and exhaust gas flow rate.
- (39) Emissions Unit – Any article, machine, equipment, other contrivance or combination thereof which emits or has the Potential to Emit any Regulated Air Pollutant.
- (40) Enhanced Emissions Monitoring Device – Any automated data recording device or system having both data gathering and retrieval capabilities. Such equipment includes, but is not limited to, Continuous Emissions Monitoring Systems (CEMS) and Parametric or Predictive Emissions Monitoring Systems (PEMS).
- (41) Equipment – Any article, machine, or other contrivance.
- (42) Excavation – Removal of surface covering, soil, pavement, etc. to expose underground equipment to view or to prepare a subsurface area for future construction.
- (43) Excess Organic Liquid Drainage:
- (a) More than two (2) milliliters of liquid drainage per disconnect from a top loading operation; or
 - (b) More than ten (10) milliliters of liquid drainage from a bottom loading operation. Such liquid drainage shall be determined by computing the average drainage from three (3) consecutive disconnects at any one loading arm.
- (44) Executive Director – The Air Pollution Control Officer. See Air Pollution Control Officer.

- (45) Exempt Compound – Those compounds listed as excluded from the definition of Volatile Organic Compound in 40 CFR 51.100(s).
- (46) Existing Facility – Any Facility operating, constructed or under construction as of the date of adoption of rules related to such facility, unless otherwise specified in the rules.
- (47) Facility – Any Permit Unit, group of Permit Units, non-permitted Equipment, or any combination thereof which:
- (a) Emits or may emit an Air Pollutant; and
 - (b) Belongs to a single major industrial group in the Standard Industrial Classification Manual; and
 - (c) Is located on a single parcel of land or on contiguous or adjacent property within the District; and
 - (d) Which is owned or operated by the same Person or by Persons under common control.
 - (e) For the purpose of this definition, such above-described grouping, remotely located but connected only by land carrying a pipeline, shall not be considered one Facility.
- (48) Federal Ozone Non-Attainment Area (FONA) – That portion of San Bernardino County that lies within the lines which begin at:
- (a) The San Bernardino - Riverside County boundary, running north along the range line common to Range 3 East and Range 2 East;
 - (b) Then west along the township line common to Township 2 North and Township 3 North;
 - (c) Then north along the San Bernardino - Los Angeles County Boundary and the San Bernardino - Kern County Boundary;
 - (d) Then east along latitude 35 degrees, 10 minutes north;
 - (e) Then south along longitude 115 degrees, 45 minutes west, and west along the San Bernardino - Riverside County Boundary.
- (49) Fixed Roof Tanks – A storage tank with a roof that is permanently affixed to the shell of the storage tank.
- (50) Floating Roof Tanks:
- (a) External Floating Roof – A vapor loss control device, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and which is equipped with an approved closure device between the tank shell and roof edge.

- (b) Internal Floating Roof – A cover or roof in a fixed roof tank that rests upon or is floated upon the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.
- (51) Flow Coat(er) – A Coating process and application system where no air is supplied to the nozzle and where the paint flows over the part and the excess Coating drains back into the collection system.
- (52) Fugitive Dust – Any solid Particulate Matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of persons.
- (53) Fugitive Liquid Leak – A dripping of liquid organic compounds at a rate in excess of three (3) drops per minute from any single leak source other than the disconnect operations of liquid fill line and vapor line.
- (54) Fugitive Vapor Leak – An escape of organic vapors from a source other than the tank truck, trailer or railroad tank car when measured in excess of 3,000 ppm (instrument calibrated with propane) above background at a distance of two (2) centimeters (0.8 inch) from the source for more than ten (10) seconds duration, or equivalent test method as approved in writing by the APCO, CARB and USEPA. (Background is the ambient concentration of organic compounds determined at least three (3) meters upwind of the potential source and uninfluenced by any specific emission source.) A “fugitive vapor leak source” does not include liquid spillage or condensate resulting from “fugitive liquid leaks”.
- (55) Gasoline – Any organic liquid including petroleum distillate and methanol having a Reid Vapor Pressure of 200 mm Hg (3.9 pounds per square inch), or greater, and used as a motor vehicle fuel, or any fuel which is commonly or commercially known or sold as gasoline.
- (56) Gasoline Transfer and Dispensing Facility – A mobile system or stationary facility, consisting of one or more storage tanks and associated equipment, which receive, store and dispense gasoline.
- (57) Gasoline Vapors – The organic compounds of gasoline, which exist in a vapor state including, where present, entrained liquid gasoline.
- (58) Grams of VOC Per Liter of Coating Less Water and Less Exempt Compounds (VOC Content) – The weight of VOC per combined volume of VOC and Coating solids.
- (59) Grams of VOC Per Liter of Material – The weight of VOC per volume of material.
- (60) Hearing Board – The Hearing Board of the Mojave Desert Air Quality Management District.
- (61) Heat Input – The chemical heat released due to fuel combustion in a Permit Unit, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.

- (62) Higher Heating Value (HHV) – The total heat liberated, including the heat of condensation of water, per mass of fuel burned (Btu per pound) when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to standard conditions.
- (63) High-Volume, Low-Pressure (HVLV) – A coating application system which is operated at air pressures between 0.1 and 10 pounds per square inch gauge (psig) measured dynamically at the center of the air cap and at the air horns.
- (64) Increments of Progress – Steps to be taken by an owner or operator to bring a source of air contaminants into compliance. See definition of “Schedule of Increments of Progress”.
- (65) Ink – A fluid that contains dyes and/or colorants and is used to make markings but not to protect surfaces.
- (66) Liquid Tight – A liquid leak rate of no more than three (3) drops per minute.
- (67) Loading Facility – Any aggregation or combination of organic liquid loading equipment which is under the control of one person at a single location.
- (68) Maximum Rated Capacity – The maximum design heat input of a unit at the highest heating value of the fuel used.
- (69) Mobile Fueler – Any tank truck or trailer that is used to transport and dispense gasoline from an onboard storage tank into any motor vehicle fuel tank.
- (70) Mojave Desert Air Quality Management District – The independent special district responsible for all aspects of air quality management as defined in Health and Safety Code §39038.3 and created pursuant to Chapter 13 (commencing with §41200) of Part 3, within that region of California within the boundaries as defined in Rule 103. See Rule 103 – *Description of District Boundaries*.
- (71) Motor Vehicle – Any self-propelled vehicle, including, but not limited to cars, trucks, buses, golf carts, vans, motorcycles, recreational vehicles, tanks, and armored personnel carriers as defined in Sections 415 and/or 670 of the California Vehicle Code. See Registered Motor Vehicle.
- (72) Multi-Color(ed) Coating – A Coating which exhibits more than one color when applied, and which is packaged in a single container and applied in a single coat.
- (73) Multiple Chamber Incinerator – Any Equipment, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three (3) or more refractory lined combustion chambers, physically separated by refractory walls, interconnected by gas passage ports or ducts.
- (74) Non-Absorbent Container – A container made of non-porous material that does not allow the migration of Solvents through it.

- (75) Oil-Effluent Water Separator – Any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump, or other container, is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.
- (76) Operator – That person in charge of a particular operation subject to air pollution control. See definition of “Owner”.
- (77) Organic Liquid – Any compound of carbon, including organic materials, organic solvents and gasoline, which is in a liquid phase at ambient or storage conditions.
- (78) Organic Materials – Chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.
- (79) Organic Solvents – Includes diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, except that such materials exhibiting a boiling point higher than 104 °C (219 °F) at 0.5 mm Hg absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 104 °C (219 °F).
- (80) Overall Control Efficiency (CE) – The ratio of the weight of a Regulated Air Pollutant removed by an emission control system to the total weight of that Regulated Air Pollutant emitted from a controlled operation, both measured simultaneously.
- (81) Owner – That person ultimately responsible for a particular operation. “Owner/Operator” refers to any person who owns, leases, operates, controls, or supervises a stationary source. See definition of “Person”.
- (82) Oxides of Nitrogen (NO_x) – The sum of the molecular forms of nitrogen oxide and nitrogen dioxide. When measured or calculated, the total of the two molecular forms is collectively expressed as nitrogen dioxide (NO₂).
- (83) Parametric Emissions Monitoring System (PEMS) – A monitoring system that continuously measures process parameters and uses a model or algorithm to estimate emissions based on the parameters measured.
- (84) Particulate Matter (PM) – Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.
- (85) Particulate Matter (PM₁₀) – Particulate matter with an aerodynamic diameter of less than or equal to a nominal 10 micrometers. Gaseous emissions which condense to form particulate matter at ambient temperatures shall be included.
- (86) Particulate Matter (PM_{2.5}) – Particulate Matter with an aerodynamic diameter of less than or equal to a nominal 2.5 micrometers. Gaseous emissions which condense to form particulate matter at ambient temperatures shall be included.
- (87) Parts per Million (ppm) – Parts per million.

- (88) Parts per Million by Volume (ppmv) – The number of gas molecules of a given species, or group, in one million total gas molecules.
- (89) Parts per Million by Weight (ppmw) – The mass or weight of a component substance relative to the mass or weight of the total substance including all components, specified as a ratio with one million mass or weight units in the denominator (i.e. grams per megagram or pounds per million pounds).
- (90) Permit Unit – Any Emissions Unit or equipment which is required to have a Permit to Operate pursuant to District Rule 203 – *Permit to Operate*.
- (91) Person – Any individual, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any other officer or employee thereof. Person also means the United States or its agencies to the extent authorized by Federal Law.
- (92) Photochemically Reactive Solvent – Any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:
- (a) A combination of hydrocarbons, alcohols, aldehydes, ethers, esters or ketones having an olefinic or cycloolefinic type of unsaturation except perchloroethylene; five (5) percent;
 - (b) A combination of aromatic compounds with eight (8) or more carbon atoms to the molecule except ethylbenzene, methyl benzoate and phenyl acetate: eight (8) percent; or,
 - (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

- (93) Potential to Emit (PTE) – The maximum capacity of a Facility to emit any air pollutant under its physical and operational design. Calculation methods, inclusions and exclusions are program specific and can be found in other District Rules.

- (94) Precursor – A substance which, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a Regulated Air Pollutant. These include, but are not limited to the following:

<u>Precursors</u>	<u>Secondary Pollutants</u>
Ammonia	(a) PM ₁₀ and PM _{2.5}
Hydrocarbons and substituted hydrocarbons (Reactive Organic Compounds and Volatile Organic Compounds)	(a) Photochemical oxidant (ozone, O ₃) (b) The organic fraction of PM ₁₀ and PM _{2.5}
Nitrogen oxides (NO _x)	(a) Nitrogen dioxide (NO ₂) (b) The nitrate fraction of PM ₁₀ and PM _{2.5} (c) Photochemical oxidant (ozone, O ₃)
Sulfur oxides (SO _x)	(a) Sulfur dioxide (SO ₂) (b) Sulfates (SO ₄) (c) The sulfate fraction of PM ₁₀ and PM _{2.5}
Hydrogen Sulfide (H ₂ S)	(a) Sulfur dioxide (SO ₂) (b) Sulfates (SO ₄) (c) The sulfate fraction of PM ₁₀ and PM _{2.5}

- (95) Predictive Emissions Monitoring System (PEMS) – The equipment necessary to monitor process and Emission Control Equipment operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and calculate and record the mass emissions rate (for example, lb/hr) on a continuous basis.
- (96) Pressure/Vacuum Relief Valve – A valve that is installed on the vent pipes of storage tanks to relieve pressure or vacuum build-up at preset values of pressure or vacuum.
- (97) Process Weight – The total weight of all materials introduced into any specific process which may discharge contaminants into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and air will not.
- (98) Process Weight per Hour – The total process weight divided by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.
- (99) Rated Brake Horsepower – The continuous brake horsepower rating specified for the engine by the manufacturer or listed on the nameplate of the unit, unless otherwise physically limited and specified by a condition on the engine's permit or District registration.

- (100) Rated Heat Input – The Heat Input capacity (in MMBtu/hr) specified on the nameplate of the unit, unless:
- (a) The unit is limited by permit condition to a lesser Heat Input than specified on the nameplate, in which case the limiting condition shall be used as the Rated Heat Input; or
 - (b) The unit is operated above the Heat Input capacity specified on the nameplate, in which case the maximum operated rate shall be used as the Rated Heat Input.
- (101) Reasonably Available Control Technology (RACT) – The lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.
- (102) Receptor Area – That specified geographic area in which the air contaminants emitted from a source area are present or to which they may be transported.
- (103) Reduction of Animal Matter – Any heated process used for rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating of animal matter.
- (104) Registered Motor Vehicle – Any motor vehicle which is registered or requires registration for use on the highway.
- (105) Regulated Air Pollutant – Any Air Pollutant that is subject to the provisions of State or Federal law or the regulations promulgated thereunder. Inclusion and exclusions of particular Air Pollutants are program specific and can be found in other District Rules.
- (106) Regulation – Any of the major subdivisions of the Rules of the Mojave Desert Air Quality Management District.
- (107) Repair Coating – A Coating used to re-coat portions of a product which has sustained mechanical damage to the Coating following normal painting operations.
- (108) Retail Gasoline Station – Any motor vehicle refueling facility subject to payment of California sales tax on gasoline sales.
- (109) Roll Coater – A type of application Equipment in which a series of mechanical rollers form a thin Coating film on the surface of a roller, which is subsequently applied to a substrate by moving the substrate underneath the roller.
- (110) Rule – A rule of the Mojave Desert Air Quality Management District.
- (111) Schedule of Increments of Progress – A statement of dates when various steps are to be taken to bring a source of air contaminants into compliance with emission standards and shall include, to the extent feasible, the following:
- (a) The date of submittal of the final plan for the control of emissions of air contaminants from that source to the District.

- (b) The date by which contracts for emission control systems or process modifications will be awarded, or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process modification.
 - (c) The date of initiation of on-site construction or installation of emission control equipment or process change.
 - (d) The date by which on-site construction or installation of emission control equipment or process modification is to be completed.
 - (e) The date by which final compliance is to be achieved.
 - (f) Such other dates by which other appropriate and necessary steps shall be taken to permit close and effective supervision of progress toward timely compliance.
- (112) Solid Particulate Matter – Particulate matter which exists as a solid at standard conditions.
- (113) Solvent – Any liquid containing a Volatile Organic Compound or combination of Volatile Organic Compounds, which is used as a diluent, thinner, dissolver, viscosity reducer, cleaning agent, or for other similar uses. A Solvent may be a single compound or a blend of two (2) or more compounds.
- (114) Source Area – That specified geographic area in which air contaminants are emitted.
- (115) South Coast Air Quality Management District (SCAQMD) – The air district created pursuant to Division 26, Part 3, Chapter 5.5 of the Health & Safety Code (commencing with §40400).
- (116) Stain – Coatings which are formulated to change the color of a surface but not completely conceal the surface, so that the grain is still visible.
- (117) Standard Conditions – A gas temperature of 15.5 °C (60 °F) and a gas pressure of 760 mm Hg (14.7 pounds per square inch) absolute.
- (118) Stripper – A liquid used to remove cured Coatings, cured Inks and/or cured Adhesives.
- (119) Submerged Fill Loading – A type of process for organic liquid loading, where the discharge opening is completely submerged below the liquid level, when the height of that liquid when measured is above the bottom of the vessel at eight centimeters (3.2 inches) or higher.
- (120) Submerged Fill Pipe:
- (a) Top Loading – Any fill pipe where the discharge opening is completely submerged when the liquid level is 15 centimeters six (6) inches above the bottom of the container.

- (b) Side Loading – Any fill pipe where the discharge opening is entirely submerged when the liquid level is 45 centimeters (18 inches) above the bottom of the container.
- (121) Switch Loading – A transfer of organic liquids with a vapor pressure of less than 77.5 mm HG (1.5 psia) under actual loading condition into any tank truck, trailer or railroad tank car that was previously loaded with an organic liquid with a vapor pressure of 77.5 mm HG (1.5 psia) or greater.
- (122) Tank Replacement – The removal and installation of a new or another storage tank.
- (123) Throughput – The mass or volume of a material or substance that is handled, or processed by a system in a given time period, such as gallons per year, tons per hour, etc.
- (124) Touch-Up – Any coating operation used to cover minor imperfections appearing after the main coating operation.
- (125) Transfer Efficiency – The ratio of the weight or volume of Coating solids adhering to an object to the total weight or volume, respectively, of Coating solids used in the application process, expressed as a percentage.
- (126) True Vapor Pressure – The equilibrium partial vapor pressure exerted by an organic liquid at actual storage temperature.
- (127) United States Environmental Protection Agency (USEPA) – The United States Environmental Protection Agency, the Administrator of the USEPA and his or her authorized representative.
- (128) Vapor Recovery System – A system that is designed to collect or capture the vapors released and/or generated during the dispensing, transfer and/or storage of liquids, and is capable of storage, transferring and/or disposal of the recovered vapors.
- (129) Vapor Recovery System Efficiency – The estimated efficiency of the air pollution control technology which is incorporated, by means of an enforceable permit condition(s). Emission reductions attributed to lowering throughput rates or curtailing operating hours shall not be considered in determining abatement efficiency.
- (130) Vehicle – A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.
- (131) Volatile Organic Compound (VOC) – Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and Exempt Compounds.

[SIP: See SIP Table at <http://www.mdaqmd.ca.gov>]

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Mojave Desert
Air Quality Management District



Final
Staff Report
Amendments to
Rule 102 – *Definition of Terms*

Adopted on
April 23, 2018

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List of Acronyms

BACT	Best Available Control Technology
BARCT	Best Available Retrofit Control Technology
CARB	California Air Resources Board
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
FCAA	Federal Clean Air Act
H&S Code	California Health & Safety Code
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
NO _x	Oxides of Nitrogen
RACT	Reasonably Available Control Technology
RFP	Reasonable Further Progress
SBCAPCD	San Bernardino County APCD
SCAB	South Coast Air Basin
SCAQMD	South Coast Air Quality Management District
SIP	State Implementation Plan
SO _x	Oxides of Sulfur
TAC	Technical Advisory Committee
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

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STAFF REPORT

Rule 102 – Definition of Terms

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 102 – *Definition of Terms* for inclusion in the current rulebook.

Many terms are defined in multiple district rules. Staff has determined that the rulebook will be more clear and consistent by shifting common definitions to Rule 102 and updating definitions for consistency. This rule is proposed for amendment in response to comments received from the California Air Resources Board (CARB), the United States Environmental Protection Agency (USEPA) and the Technical Advisory Committee (TAC). The amendment of Rule 102 – *Definitions of Terms* will be an ongoing process. Rule 102 will continue to be updated as needed when other District rules are proposed for amendment and contain definitions that need to be moved.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD or District) amend proposed Rule 102 – *Definition of Terms* and approve the appropriate California Environmental Quality Act (CEQA) documentation. This action is necessary to streamline the District rulebook.

The Governing Board of the Mojave Desert Air Quality Management District amended Rule 102 – *Definition of Terms* at the April 23, 2018 Governing Board meeting.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct amendments to Rule 102 – *Definition of Terms*. Each item is discussed, if applicable, in Section V. Copies of related documents are included in the appropriate appendices.

FINDINGS REQUIRED FOR RULES & REGULATIONS:

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Nonduplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- X Public Notice & Comment
- X Availability of Document
- X Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- X Public Hearing
- X Legal Authority to adopt and implement the document.
- X Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION:

- N/A Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- N/A Exemption
- X Negative Declaration
- N/A Environmental Impact Report
- X Appropriate findings, if necessary.
- X Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- X Written analysis of existing air pollution control requirements
- N/A Economic Analysis
- X Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the proposed amendments to Rule 102 – *Definition of Terms*. These are actions that need to be performed and/or information that must be provided in order to amend the rule in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the District Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

a. Necessity:

The amendments to Rule 102 are necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity. This amendment is in response to comments received from CARB, USEPA and the TAC.

b. Authority:

The District has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

c. Clarity:

The amendments to Rule 102 are clear in that they are written so that the persons subject to the rule can easily understand the meaning because definitions have been added and updated for consistency.

d. Consistency:

The amendments to Rule 102 are in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions.

e. Nonduplication:

The amendments to Rule 102 do not impose the same requirements as any existing state or federal law or regulation because rulebook definitions have been added and updated for consistency.

f. Reference:

The District has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed amendments to Rule 102 was published February 20, 2018, and the comment period ended March 22, 2018. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying federal law that requires the submittal. The information below indicates which elements are required for the proposed amendments to Rule 102 and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The amendments to Rule 102 are subject to all the requirements for a State Implementation Plan (SIP) submittal because Rule 102 is included in the MDAQMD SIP. The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0. In addition, FCAA §110(l) (42 U.S.C. 7410(l)) requires that any rule action which might possibly be construed as a relaxation of a requirement provide a demonstration that the change not interfere with any FCAA requirements concerning attainment or Reasonable Further Progress (RFP). Please see subsection (VI)(E) below for the applicable demonstration.

b. Public Notice and Comment:

Notice for the public hearing for the amendments to Rule 102 was published February 20, 2018, and the public comment period closed March 22, 2018. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

c. Availability of Document:

Copies of the proposed amendments to Rule 102 and the accompanying draft staff report were made available to the public on February 5, 2018.

d. Notice to Specified Entities:

Copies of the proposed amendments to Rule 102 and the accompanying draft staff report were sent to all affected agencies. The proposed amendments will be sent to the California Air Resources Board (CARB) and USEPA on February 5, 2018.

e. Public Hearing:

A public hearing to consider the proposed amendments to Rule 102 was held April 23, 2018.

f. Legal Authority to Adopt and Implement:

The District has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the District.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Subsection (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Subsection (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Subsection (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Subsection (V)(D) below for compliance with provisions of the CEQA.

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. Rule 102 does not impose any air pollution control requirements as the rule simply contains definitions for District rules. Therefore the preparation of a written analysis of existing air pollution control requirements that apply to the same equipment or source type is not required.

C. ECONOMIC ANALYSIS

1. General

The amendments to Rule 102 will not have an adverse economic impact on the entities subject to the proposed rule. This rule simply adds and clarifies existing common definitions in the District rulebook in response to comments received from CARB, USEPA and the TAC.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act (CCAA) requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds (VOCs), oxides of nitrogen (NOx) or oxides of sulfur (SOx).

The amendment of Rule 102 is not subject to incremental cost effectiveness calculations because this rule does not impose BARCT or “all feasible measures”.

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the amendments to Rule 102 was determined.

1. The amendments to Rule 102 meet the CEQA definition of “project”. They are not “ministerial” actions.

2. The amendments to Rule 102 are exempt from CEQA review because this rule is administrative in nature, and there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Copies of the documents relating to CEQA can be found in Appendix “D”.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

The amendment of Rule 102 does not have any potential environmental impact because the amendment simply adds and clarifies existing common definitions. Therefore, this rule does not have any impact upon the emission of air contaminants.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Subsection (V)(A)(1)(g) and (2)(b), as well as Appendix “B”

VI. TECHNICAL DISCUSSION

A. SOURCE DESCRIPTION

The definitions in Rule 102 apply to all rules in the District rulebook except when a term is otherwise defined in a specific rule or regulation.

B. EMISSIONS

The amendment of Rule 102 does not have any potential environmental impact because the amendment simply consolidates and clarifies existing common definitions in the District rulebook in one definition rule. Therefore, this rule does not have any impact upon the emission of air contaminants.

C. CONTROL REQUIREMENTS

There are no control requirements in the amendments to Rule 102.

D. PROPOSED RULE SUMMARY

This section gives a brief overview of the proposed amendments to Rule 102.

Please refer to the iterated version of Rule 102 in Appendix “A” of this Staff Report for any formatting changes, additions, deletions and changes to definitions.

- Underlined text identifies new or revised language.
- ~~Lined-out~~ text identifies language which is being deleted.
- Normal text identifies the current language of the rule which will remain unchanged by the adoption of the proposed amendments.
- *[Bracketed italicized text]* is explanatory material that is not part of the proposed language. It is removed once the proposed amendments are adopted.

A Definition for “Bottom Fill Loading (Bottom Loading)” has been added.

Definition for “Dip Coat(er)” has been modified to cover both the process and application system.

Definition for “Flow Coat(er)” has been modified to cover both the process and application system.

Definition for “Parametric Emissions Monitoring System (PEMS)” has been added.

E. SIP HISTORY

1. SIP History.

a. SIP in the San Bernardino County Portion of MDAQMD

Rule 102 was originally adopted on 01/07/76 by the Southern California Air Pollution Control District (So.Cal.APCD) which was created by a Joint Powers Agreement (JPA) between Los Angeles, Orange, Riverside and San Bernardino Counties to replace the previous county-wide air pollution control districts for those counties. The rule was subsequently amended on 10/08/76. On 02/01/77, pursuant to statute (Cal. Stats. 1976, Ch 324 p. 815) the South Coast Air Quality Management District (SCAQMD) was created with an initial jurisdiction that only included areas of Los Angeles, Orange, Riverside and San Bernardino Counties contained within the South Coast Air Basin (SCAB). Outlying areas remained under the So. Cal. APCD. Also on 02/01/77 the California Air Resources Board (CARB) issued Executive Order G-73 (1977) which adopted a “rule book” for those non-SCAB areas of Los Angeles, Riverside and San Bernardino Counties. CARB submitted the Executive Order G-73 (1977) rulebook on behalf of the “county” districts and these rule books included Rule 102. Rule 102 was allegedly partially disapproved as a SIP revision on 8/5/1977 (40 CFR 52.236(e)(4)) and then approved into the SIP on 6/14/1978 (43 FR 25684; 40 CFR 52.220(c)(37)(i)(A)).

By its terms Executive Order G-73 (1977) was only effective until the non-SCAB areas took other action. On 02/22/77 the JPA forming the So.Cal.APCD was formally dissolved. By the terms of the JPA upon dissolution each county would regain its county air pollution control district with a jurisdiction of the non-SCAB areas of the county and the applicable rules being the So.Cal.APCD’s rules in effect upon the date of dissolution. Thus, as of 02/22/77 the version of Rule 102 for the San Bernardino County APCD (SBCAPCD) reverted from the G-73 (1977) CARB version back to the original So.Cal.APCD 10/08/76 version.

On 07/25/77 the SBCAPCD readopted its rulebook including Rule 102. It was submitted on 11/4/1977 for inclusion into the SIP. It was partially disapproved on 12/21/1978 (43 FR 59489; 40 CFR 52.220(c)(42)(xiii)(A) and 52.228 (b)(1)(iv)). The action retained various definitions belonging to then rescinded Regulation VI – *Orchard and Citrus Grove Heaters* and disapproving the definitions “fugitive liquid leak” and “fugitive vapor leak.” Rule 102 was subsequently amended on 12/19/1988, submitted as a SIP revision and fully approved on 11/27/1990 (55 FR 49281; 40 CFR 52.220(c)(179)(i)(B)).

On 07/01/93 the MDAQMD was formed pursuant to statute. Pursuant to statute it also retained all the rules and regulations of the SBCAPCD until such time as the Governing Board of the MDAQMD wished to adopt, amend or rescind such rules. The MDAQMD Governing Board, at its very first meeting, reaffirmed all the rules and regulations of the SBCAPCD. Therefore, the current (12/19/1988) version is the one contained in the SIP.

The MDAQMD amended Rule 102 on 06/12/2017 and this version was submitted by CARB to USEPA as a SIP revision on 08/09/2017. Rule 102 was subsequently amended on 10/23/2017 and 01/22/2018. This current amendment will supersede the prior submittals.

b. SIP in the Riverside County (Blythe/Palo Verde Valley) Portion of the MDAQMD

One of the provisions of the legislation which created the MDAQMD allowed areas contiguous to the MDAQMD boundaries and within the same air basin to leave their current air district and become a part of the MDAQMD. On July 1, 1994 the area commonly known as the Palo Verde Valley in Riverside County, including the City of Blythe, left the SCAQMD and joined the MDAQMD. Since USEPA adopts SIP revisions in California as effective within the jurisdictional boundaries of local air districts, when the local boundaries change the SIP as approved by USEPA for that area up to the date of the change remains as the SIP in that particular area. Upon annexation of the Blythe/Palo Verde Valley the MDAQMD acquired the SIP prior to July 1, 1994 that was effective in the Blythe/Palo Verde Valley. Therefore, the SIP history for the Blythe/Palo Verde Valley Portion of the MDAQMD is based upon the rules adopted and approved for that portion of Riverside County by SCAQMD.

The So.Cal.APCD version of Rule 102 as originally adopted 01/07/1976 and amended on 10/8/1976 and was also effective in

Riverside County. In an interesting twist the Executive Order G-73 (1977) rulebook for Riverside County (submitted on the same day 2/10/1977 and in the same submission) was approved without reservation on 6/14/1978 (43 FR 25684; 40 CFR 52.220(c)(37)(i)(A)).

As of 01/01/78 the non-SCAB portions of Los Angeles, Riverside and San Bernardino Counties were allowed to “opt in” to SCAQMD (Cal Stats 1977 Ch 1195 pg. 4005). Both Los Angeles and Riverside counties did so while San Bernardino County did not. SCAQMD amended Rule 102 on both 04/01/1977 and 09/02/1977 (pre Riverside County “opt in”) and submitted it as a SIP revision for its jurisdiction, which at that point DID NOT legally include the desert portions Riverside County, on 10/31/1977 and 11/4/1977. Approvals for these versions apparently occurred in 1978 (See 40 CFR 52.220(c)(41)(xiv)(A); 52.220(c)(42)(xiv)(A); and 52.220(c)(44)(v)(A)). After the inclusion of the non-SCAB portions of Riverside County, SCAQMD amended Rule 102 two more times on November 4, 1988 and July 9, 1993 presumably submitting them to USEPA as SIP revisions each time. It is unclear as to the result of these two submissions. Given this uncertainty the current SIP rule for the Blythe/Paloverde Valley area of Riverside County appears to be whichever is the latest version approved in 1978 at 40 CFR 52.220(c)(41)(xiv)(A), 52.220(c)(42)(xiv)(A), or 52.220(c)(44)(v)(A).

The MDAQMD amended Rule 102 on 06/12/2017 and this version was submitted by CARB to USEPA as a SIP revision on 08/09/2017. Rule 102 was subsequently amended on 10/23/17 and 01/22/2018. This current amendment will supersede the prior submittals.

2. SIP Analysis.

The District will request CARB to submit to USEPA the proposed amendments to Rule 102 to replace the SIP versions in effect in the San Bernardino County portion of the MDAB and the Blythe/Palo Verde Valley portion of Riverside County. The District also requests removal of all prior versions of Rule 102 from the Blythe/Palo Verde Valley portion of the MDAQMD, and that the Region IX SIPs webpage be updated to reflect the appropriate SIP information.

Definitions proposed to be moved into Rule 102 or updated have been derived from either existing SIP rules or from SIP pending rules. Cross references to such rules have been provided in the *[bracketed italicized]* notes contained in the redline version of the rule located in Appendix “A” of this Staff Report. Specific source material for particular definitions will be provided upon request.

Appendix “A”

Rule 102 – *Definition of Terms* Iterated Version

The iterated version is provided so that the changes to an existing rule may be easily found. The manner of differentiating text is as follows:

1. Underlined text identifies new or revised language.
2. ~~Lined out text~~ identifies language which is being deleted.
3. Normal text identifies the current language of the rule which will remain unchanged by the adoption of the proposed amendments.
4. *[Bracketed italicized text]* is explanatory material that is not part of the proposed language. It is removed once the proposed amendments are adopted.

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Rule 102

Definition of Terms

The definitions contained in this Rule shall apply to all rules within this Rulebook except when a term is otherwise provided in a specific rule or regulation.

- (1) Actual Emissions – The actual rate of emissions of a Regulated Air Pollutant which accurately represent the emissions from an Emissions Unit. Such emissions shall be calculated using the verified actual operating hours; production rates; and types of materials processed, stored or combusted as applicable.
- (2) Adhesive – Any substance that is used to bond one surface to another by attachment.
- (3) Aerosol Coating Product – A pressurized Coating product that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application.
- (4) Aggregate Emissions – A facility-wide sum of Actual Emissions, on an emissions category specific basis, from emission units operated at a single facility.
- (5) Agricultural Burning – Open outdoor fires used in agricultural operations in the growing of crops or raising of fowls or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat or disease and pest prevention. Agricultural burning also includes open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.
- (6) Agricultural Operations – Any operation occurring on a ranch or farm directly related to the growing of crops, or raising of fowls or animals for the primary purpose of making profit or for a livelihood, including the growing and harvesting of crops or the raising of fowl or animals, or conducting agricultural research or instruction by an educational institution. Agricultural Operations do not include activities involving the processing or distribution of crops or fowl.
- (7) Agricultural Wastes – Unwanted or unsalable materials produced wholly from Agricultural Operations, other than forest or range management operations, directly related to the growing of crops or animals for the primary purpose of making a profit or for a livelihood. The term does not include wastes created by land use conversion to non-agricultural purposes unless the destruction of such waste by open outdoor fire is ordered by the County or State Agricultural Commissioner upon his determination that the waste is infested with infectious transmittable or contagious plant disease which is an immediate hazard to agricultural operation conducted on adjoining or nearby property.

- (8) Air-Assisted Airless Spray – A coating application system in which the coating fluid is supplied to the gun under fluid pressure and air is combined at the spray cap.
- (9) Air Contaminant or Air Pollutant – Any discharge, release, or other propagation into the atmosphere directly or indirectly caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matters, acids or any combination thereof.
- (10) Air-dried Coating – A coating that is cured at a temperature below 90 °C (194 °F).
- (11) Air Pollution Control Officer (APCO) – That person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of the California Health and Safety Code §40750 and his or her designee.
- (12) Annual Heat Input – The total Heat Input of fuels, in Btu, burned by a Permit Unit in a calendar year, as determined from the Higher Heating Value (HHV) and cumulative annual usage of each fuel.
- (13) Architectural Coatings – Any coatings applied to stationary structures and their appurtenances; to mobile homes, to pavements, or to curbs.
- (14) Atmosphere – That portion of the air which envelopes or surrounds the earth.
- (15) Baked Coating – Any Coating that is cured at a temperature at or above 90 °C (194 °F).
- (16) Best Available Retrofit Control Technology (BARCT) – an emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each class or category of source.
- (17) Boiler or Steam Generator – Any combustion equipment (fired with any fuel) used to produce steam. Boiler or Steam Generator does not include any waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine.
- (18) Bottom Fill Loading (Bottom Loading) – Any tank, truck, trailer or railroad tank car shall be considered to be bottom loaded when the fuel transfer and vapor return lines have separate, independent, and dedicated attachments on the delivery vehicle, when the inlet is flush with the bottom of the storage device, and when the delivery vehicle hatch remains closed during gasoline transfer. *[Derived from Tehama Rule 4:36 – Vapor Recovery Requirements at Bulk Petroleum Loading Facilities, 4/21/98]*
- (198) Boundaries of the District – That region within California within which these rules are applicable. See Rule 103 – *Description of District Boundaries* for a description of the MDAQMD boundaries.
- (2019) Breakdown – A condition other than a normal operating mode caused by a non-preventable mechanical or electrical failure, out of tolerance condition, or accidental occurrence such as fire, explosion, flooding, earthquake, etc.

- (210) California Air Resources Board (CARB) – The California Air Resources Board, the Executive Officer of CARB and his or her authorized representative, the powers and duties of which are described in Part 2 of Division 26 of the California Health & Safety Code (commencing with §39500).
- (224) Capture Efficiency (or Capture System Efficiency) – The portion (expressed as a percentage) of the pollutants from an emission source that is delivered to an add-on control device.
- (232) CARB Certified (Certified by CARB) – A vapor recovery system, equipment, or any component thereof, for which the California Air Resources Board (CARB) has evaluated its performance and issued a valid Executive Order pursuant to Health and Safety Code Section 41954. Each component of a system is a separate CARB certified item and cannot be replaced with a non-certified item or other items that are not certified for use with the particular system. Except for qualified repairs, a CARB certified component shall be as supplied by the qualified manufacturer. A rebuilt component shall not be deemed as CARB certified unless the person who rebuilds the component is authorized by CARB to rebuild the designated CARB certified component.
- (243) Clear Topcoat – A final Coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film. Including, but not limited to, Varnishes.
- (254) Coating – A material that is applied to a surface and forms a film in order to identify, beautify, protect, convey a message, or minimize detection of such surface. Coating includes, but is not limited to, materials such as Topcoats, stains, Sealers, primers, fillers, conversion Varnish, pigmented Coating, multicolored Coating, moldseal Coating, washcoat and toner.
- (265) Combustible Refuse – Any solid or liquid combustible waste material containing carbon in a free or combined state.
- (276) Combustion Contaminants – Particulate Matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.
- (287) Compliance Assurance Monitoring – Total equipment, mechanism(s), and/or technique(s) used to demonstrate and insure compliance with Control Device Efficiency requirements. Such monitoring is used to analyze and/or provide a permanent record of process parameters, such as temperatures, pressures and flow rates.
- (298) Compliance Schedule – The date or dates by which a source or category of sources is required to comply with specific emission limitations contained in any air pollution rule, regulation, or statute and with any increment of progress toward such compliance.
- (3029) Compression-Ignited (IC) Internal Combustion Engine – An Internal Combustion Engine with operating characteristics significantly similar to the theoretical diesel combustive cycle. The regulation of power by controlling fuel supply in lieu of a throttle is indicative of a compression ignited engine.

- | (3~~10~~) Continuous Emissions Monitoring System (CEMS) – All of the equipment that may be required to meet the data acquisition and availability requirements, to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.
- | (3~~21~~) Control Device Efficiency – The ratio, in percent, of the weight of the pollutant removed by a control device from the process effluent stream entering the control device compared to the weight of pollutant entering the control device, both measured simultaneously.
- | (3~~32~~) Control Equipment – Air pollution control equipment which eliminates, reduces or controls the issuance of air contaminants.
- | (3~~43~~) Dip Coat (er) – A ~~coating process and application system~~~~type of application Equipment~~ that coats an object by submerging the object in a vat of Coating, and subsequently withdrawing the object and draining off the excess Coating. *[Definition modified to cover both the application process and equipment.]*
- | (3~~54~~) District – See Mojave Desert Air Quality Management District.
- | (3~~65~~) Dusts – Minute solid particles released into the air by natural forces or by mechanical processes including, but not limited to, crushing, grinding, milling, drilling, demolition, shoveling, conveying, covering, bagging, grading, leveling, excavation, and sweeping.
- | (3~~76~~) Electrostatic Application – A method of applying Coating whereby atomized paint droplets are charged and subsequently deposited on the substrate by electrostatic attraction.
- | (3~~87~~) Emission Control System Operating Parameters – Any operating parameter(s) that the District deems necessary to analyze for the determination of compliance. Such parameters include, but are not limited to, the reagent flow rate, catalyst temperature, and exhaust gas flow rate.
- | (3~~98~~) Emissions Unit – Any article, machine, equipment, other contrivance or combination thereof which emits or has the Potential to Emit any Regulated Air Pollutant.
- | (40~~39~~) Enhanced Emissions Monitoring Device – Any automated data recording device or system having both data gathering and retrieval capabilities. Such equipment includes, but is not limited to, Continuous Emissions Monitoring Systems (CEMS) and Parametric or Predictive Emissions Monitoring Systems (PEMS).
- | (4~~10~~) Equipment – Any article, machine, or other contrivance.
- | (4~~21~~) Excavation – Removal of surface covering, soil, pavement, etc. to expose underground equipment to view or to prepare a subsurface area for future construction.
- | (4~~32~~) Excess Organic Liquid Drainage:
 - (a) More than two (2) milliliters of liquid drainage per disconnect from a top loading operation; or

- (b) More than ten (10) milliliters of liquid drainage from a bottom loading operation. Such liquid drainage shall be determined by computing the average drainage from three (3) consecutive disconnects at any one loading arm.
- (443) Executive Director – The Air Pollution Control Officer. See Air Pollution Control Officer.
- (454) Exempt Compound – Those compounds listed as excluded from the definition of Volatile Organic Compound in 40 CFR 51.100(s).
- (465) Existing Facility – Any Facility operating, constructed or under construction as of the date of adoption of rules related to such facility, unless otherwise specified in the rules.
- (476) Facility – Any Permit Unit, group of Permit Units, non-permitted Equipment, or any combination thereof which:
 - (a) Emits or may emit an Air Pollutant; and
 - (b) Belongs to a single major industrial group in the Standard Industrial Classification Manual; and
 - (c) Is located on a single parcel of land or on contiguous or adjacent property within the District; and
 - (d) Which is owned or operated by the same Person or by Persons under common control.
 - (e) For the purpose of this definition, such above-described grouping, remotely located but connected only by land carrying a pipeline, shall not be considered one Facility.
- (487) Federal Ozone Non-Attainment Area (FONA) – That portion of San Bernardino County that lies within the lines which begin at:
 - (a) The San Bernardino - Riverside County boundary, running north along the range line common to Range 3 East and Range 2 East;
 - (b) Then west along the township line common to Township 2 North and Township 3 North;
 - (c) Then north along the San Bernardino - Los Angeles County Boundary and the San Bernardino - Kern County Boundary;
 - (d) Then east along latitude 35 degrees, 10 minutes north;
 - (e) Then south along longitude 115 degrees, 45 minutes west, and west along the San Bernardino - Riverside County Boundary.

- (498) Fixed Roof Tanks – A storage tank with a roof that is permanently affixed to the shell of the storage tank.
- (5049) Floating Roof Tanks:
- (a) External Floating Roof – A vapor loss control device, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and which is equipped with an approved closure device between the tank shell and roof edge.
 - (b) Internal Floating Roof – A cover or roof in a fixed roof tank that rests upon or is floated upon the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.
- (510) Flow Coat(er) – A Coating process and application system ~~with where~~ no air is supplied to the nozzle and where the paint flows over the part and the excess Coating drains back into the collection system. *[Definition modified to cover both the application process and equipment pursuant to USEPA comment on Rule 1114, 1/12/18.]*
- (521) Fugitive Dust – Any solid Particulate Matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of persons.
- (532) Fugitive Liquid Leak – A dripping of liquid organic compounds at a rate in excess of three (3) drops per minute from any single leak source other than the disconnect operations of liquid fill line and vapor line.
- (543) Fugitive Vapor Leak – An escape of organic vapors from a source other than the tank truck, trailer or railroad tank car when measured in excess of 3,000 ppm (instrument calibrated with propane) above background at a distance of two (2) centimeters (0.8 inch) from the source for more than ten (10) seconds duration, or equivalent test method as approved in writing by the APCO, CARB and USEPA. (Background is the ambient concentration of organic compounds determined at least three (3) meters upwind of the potential source and uninfluenced by any specific emission source.) A “fugitive vapor leak source” does not include liquid spillage or condensate resulting from “fugitive liquid leaks”.
- (554) Gasoline – Any organic liquid including petroleum distillate and methanol having a Reid Vapor Pressure of 200 mm Hg (3.9 pounds per square inch), or greater, and used as a motor vehicle fuel, or any fuel which is commonly or commercially known or sold as gasoline.
- (565) Gasoline Transfer and Dispensing Facility – A mobile system or stationary facility, consisting of one or more storage tanks and associated equipment, which receive, store and dispense gasoline.
- (576) Gasoline Vapors – The organic compounds of gasoline, which exist in a vapor state including, where present, entrained liquid gasoline.

- (~~587~~) Grams of VOC Per Liter of Coating Less Water and Less Exempt Compounds (VOC Content) – The weight of VOC per combined volume of VOC and Coating solids.
- (~~598~~) Grams of VOC Per Liter of Material – The weight of VOC per volume of material.
- (~~6059~~) Hearing Board – The Hearing Board of the Mojave Desert Air Quality Management District.
- (~~610~~) Heat Input – The chemical heat released due to fuel combustion in a Permit Unit, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.
- (~~624~~) Higher Heating Value (HHV) – The total heat liberated, including the heat of condensation of water, per mass of fuel burned (Btu per pound) when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to standard conditions.
- (~~632~~) High-Volume, Low-Pressure (HVLV) – A coating application system which is operated at air pressures between 0.1 and 10 pounds per square inch gauge (psig) measured dynamically at the center of the air cap and at the air horns.
- (~~643~~) Increments of Progress – Steps to be taken by an owner or operator to bring a source of air contaminants into compliance. See definition of “Schedule of Increments of Progress”.
- (~~654~~) Ink – A fluid that contains dyes and/or colorants and is used to make markings but not to protect surfaces.
- (~~665~~) Liquid Tight – A liquid leak rate of no more than three (3) drops per minute.
- (~~676~~) Loading Facility – Any aggregation or combination of organic liquid loading equipment which is under the control of one person at a single location.
- (~~687~~) Maximum Rated Capacity – The maximum design heat input of a unit at the highest heating value of the fuel used.
- (~~698~~) Mobile Fueler – Any tank truck or trailer that is used to transport and dispense gasoline from an onboard storage tank into any motor vehicle fuel tank.
- (~~7069~~) Mojave Desert Air Quality Management District – The independent special district responsible for all aspects of air quality management as defined in Health and Safety Code §39038.3 and created pursuant to Chapter 13 (commencing with §41200) of Part 3, within that region of California within the boundaries as defined in Rule 103. See Rule 103 – *Description of District Boundaries*.
- (~~710~~) Motor Vehicle – Any self-propelled vehicle, including, but not limited to cars, trucks, buses, golf carts, vans, motorcycles, recreational vehicles, tanks, and armored personnel

carriers as defined in Sections 415 and/or 670 of the California Vehicle Code. See Registered Motor Vehicle.

- | (7~~24~~) Multi-Color(ed) Coating – A Coating which exhibits more than one color when applied, and which is packaged in a single container and applied in a single coat.
- | (7~~32~~) Multiple Chamber Incinerator – Any Equipment, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three (3) or more refractory lined combustion chambers, physically separated by refractory walls, interconnected by gas passage ports or ducts.
- | (7~~43~~) Non-Absorbent Container – A container made of non-porous material that does not allow the migration of Solvents through it.
- | (7~~54~~) Oil-Effluent Water Separator – Any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump, or other container, is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.
- | (7~~65~~) Operator – That person in charge of a particular operation subject to air pollution control. See definition of “Owner”.
- | (7~~76~~) Organic Liquid – Any compound of carbon, including organic materials, organic solvents and gasoline, which is in a liquid phase at ambient or storage conditions.
- | (7~~87~~) Organic Materials – Chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.
- | (7~~98~~) Organic Solvents – Includes diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as solvers, viscosity reducers or cleaning agents, except that such materials exhibiting a boiling point higher than 104 °C (219 °F) at 0.5 mm Hg absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 104 °C (219 °F).
- | (80~~79~~) Overall Control Efficiency (CE) – The ratio of the weight of a Regulated Air Pollutant removed by an emission control system to the total weight of that Regulated Air Pollutant emitted from a controlled operation, both measured simultaneously.
- | (81~~9~~) Owner – That person ultimately responsible for a particular operation. “Owner/Operator” refers to any person who owns, leases, operates, controls, or supervises a stationary source. See definition of “Person”.
- | (8~~24~~) Oxides of Nitrogen (NO_x) – The sum of the molecular forms of nitrogen oxide and nitrogen dioxide. When measured or calculated, the total of the two molecular forms is collectively expressed as nitrogen dioxide (NO₂).

- (83) Parametric Emissions Monitoring System (PEMS)s – A monitoring system that continuously measures process parameters and uses a model or algorithm to estimate emissions based on the parameters measured. *[Derived from BAAQMD Reg I, May 4, 2011 version. Definition added at the request of the Technical Advisory Committee (TAC).]*
- (842) Particulate Matter (PM) – Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.
- (853) Particulate Matter (PM₁₀) – Particulate matter with an aerodynamic diameter of less than or equal to a nominal 10 micrometers. Gaseous emissions which condense to form particulate matter at ambient temperatures shall be included.
- (864) Particulate Matter (PM_{2.5}) – Particulate Matter with an aerodynamic diameter of less than or equal to a nominal 2.5 micrometers. Gaseous emissions which condense to form particulate matter at ambient temperatures shall be included.
- (875) Parts per Million (ppm) – Parts per million.
- (886) Parts per Million by Volume (ppmv) – The number of gas molecules of a given species, or group, in one million total gas molecules.
- (897) Parts per Million by Weight (ppmw) – The mass or weight of a component substance relative to the mass or weight of the total substance including all components, specified as a ratio with one million mass or weight units in the denominator (i.e. grams per megagram or pounds per million pounds).
- (9088) Permit Unit – Any Emissions Unit or equipment which is required to have a Permit to Operate pursuant to District Rule 203 – *Permit to Operate*.
- (9189) Person – Any individual, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any other officer or employee thereof. Person also means the United States or its agencies to the extent authorized by Federal Law.
- (920) Photochemically Reactive Solvent – Any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:
- (a) A combination of hydrocarbons, alcohols, aldehydes, ethers, esters or ketones having an olefinic or cycloolefinic type of unsaturation except perchloroethylene; five (5) percent;
 - (b) A combination of aromatic compounds with eight (8) or more carbon atoms to the molecule except ethylbenzene, methyl benzoate and phenyl acetate: eight (8) percent; or,

- (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

- (934) Potential to Emit (PTE) – The maximum capacity of a Facility to emit any air pollutant under its physical and operational design. Calculation methods, inclusions and exclusions are program specific and can be found in other District Rules.
- (942) Precursor – A substance which, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a Regulated Air Pollutant. These include, but are not limited to the following:

<u>Precursors</u>	<u>Secondary Pollutants</u>
Ammonia	(a) PM ₁₀ and PM _{2.5}
Hydrocarbons and substituted hydrocarbons (Reactive Organic Compounds and Volatile Organic Compounds)	(a) Photochemical oxidant (ozone, O ₃) (b) The organic fraction of PM ₁₀ and PM _{2.5}
Nitrogen oxides (NO _x)	(a) Nitrogen dioxide (NO ₂) (b) The nitrate fraction of PM ₁₀ and PM _{2.5} (c) Photochemical oxidant (ozone, O ₃)
Sulfur oxides (SO _x)	(a) Sulfur dioxide (SO ₂) (b) Sulfates (SO ₄) (c) The sulfate fraction of PM ₁₀ and PM _{2.5}
Hydrogen Sulfide (H ₂ S)	(a) Sulfur dioxide (SO ₂) (b) Sulfates (SO ₄) (c) The sulfate fraction of PM ₁₀ and PM _{2.5}

- (953) Predictive Emissions Monitoring System (PEMS) – The equipment necessary to monitor process and Emission Control Equipment operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and calculate and record the mass emissions rate (for example, lb/hr) on a continuous basis.
- (964) Pressure/Vacuum Relief Valve – A valve that is installed on the vent pipes of storage tanks to relieve pressure or vacuum build-up at preset values of pressure or vacuum.

- (975) Process Weight – The total weight of all materials introduced into any specific process which may discharge contaminants into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and air will not.
- (986) Process Weight per Hour – The total process weight divided by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.
- (997) Rated Brake Horsepower – The continuous brake horsepower rating specified for the engine by the manufacturer or listed on the nameplate of the unit, unless otherwise physically limited and specified by a condition on the engine's permit or District registration.
- (10098) Rated Heat Input – The Heat Input capacity (in MMBtu/hr) specified on the nameplate of the unit, unless:
- (a) The unit is limited by permit condition to a lesser Heat Input than specified on the nameplate, in which case the limiting condition shall be used as the Rated Heat Input; or
 - (b) The unit is operated above the Heat Input capacity specified on the nameplate, in which case the maximum operated rate shall be used as the Rated Heat Input.
- (10199) Reasonably Available Control Technology (RACT) – The lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.
- (1020) Receptor Area – That specified geographic area in which the air contaminants emitted from a source area are present or to which they may be transported.
- (1034) Reduction of Animal Matter – Any heated process used for rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating of animal matter.
- (1042) Registered Motor Vehicle – Any motor vehicle which is registered or requires registration for use on the highway.
- (1053) Regulated Air Pollutant – Any Air Pollutant that is subject to the provisions of State or Federal law or the regulations promulgated thereunder. Inclusion and exclusions of particular Air Pollutants are program specific and can be found in other District Rules.
- (1064) Regulation – Any of the major subdivisions of the Rules of the Mojave Desert Air Quality Management District.
- (1075) Repair Coating – A Coating used to re-coat portions of a product which has sustained mechanical damage to the Coating following normal painting operations.

- | (10~~86~~) Retail Gasoline Station – Any motor vehicle refueling facility subject to payment of California sales tax on gasoline sales.
- | (10~~97~~) Roll Coater – A type of application Equipment in which a series of mechanical rollers form a thin Coating film on the surface of a roller, which is subsequently applied to a substrate by moving the substrate underneath the roller.
- | (1~~1008~~) Rule – A rule of the Mojave Desert Air Quality Management District.
- | (1~~1109~~) Schedule of Increments of Progress – A statement of dates when various steps are to be taken to bring a source of air contaminants into compliance with emission standards and shall include, to the extent feasible, the following:
 - (a) The date of submittal of the final plan for the control of emissions of air contaminants from that source to the District.
 - (b) The date by which contracts for emission control systems or process modifications will be awarded, or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process modification.
 - (c) The date of initiation of on-site construction or installation of emission control equipment or process change.
 - (d) The date by which on-site construction or installation of emission control equipment or process modification is to be completed.
 - (e) The date by which final compliance is to be achieved.
 - (f) Such other dates by which other appropriate and necessary steps shall be taken to permit close and effective supervision of progress toward timely compliance.
- | (11~~20~~) Solid Particulate Matter – Particulate matter which exists as a solid at standard conditions.
- | (11~~34~~) Solvent – Any liquid containing a Volatile Organic Compound or combination of Volatile Organic Compounds, which is used as a diluent, thinner, dissolver, viscosity reducer, cleaning agent, or for other similar uses. A Solvent may be a single compound or a blend of two (2) or more compounds.
- | (11~~42~~) Source Area – That specified geographic area in which air contaminants are emitted.
- | (11~~53~~) South Coast Air Quality Management District (SCAQMD) – The air district created pursuant to Division 26, Part 3, Chapter 5.5 of the Health & Safety Code (commencing with §40400).
- | (11~~64~~) Stain – Coatings which are formulated to change the color of a surface but not completely conceal the surface, so that the grain is still visible.

- (11~~75~~) Standard Conditions – A gas temperature of 15.5 °C (60 °F) and a gas pressure of 760 mm Hg (14.7 pounds per square inch) absolute.
- (11~~86~~) Stripper – A liquid used to remove cured Coatings, cured Inks and/or cured Adhesives.
- (11~~97~~) Submerged Fill Loading – A type of process for organic liquid loading, where the discharge opening is completely submerged below the liquid level, when the height of that liquid when measured is above the bottom of the vessel at eight centimeters (3.2 inches) or higher.
- (12~~048~~) Submerged Fill Pipe:
- (a) Top Loading – Any fill pipe where the discharge opening is completely submerged when the liquid level is 15 centimeters six (6) inches above the bottom of the container.
 - (b) Side Loading – Any fill pipe where the discharge opening is entirely submerged when the liquid level is 45 centimeters (18 inches) above the bottom of the container.
- (12~~149~~) Switch Loading – A transfer of organic liquids with a vapor pressure of less than 77.5 mm HG (1.5 psia) under actual loading condition into any tank truck, trailer or railroad tank car that was previously loaded with an organic liquid with a vapor pressure of 77.5 mm HG (1.5 psia) or greater.
- (12~~20~~) Tank Replacement – The removal and installation of a new or another storage tank.
- (12~~34~~) Throughput – The mass or volume of a material or substance that is handled, or processed by a system in a given time period, such as gallons per year, tons per hour, etc.
- (12~~42~~) Touch-Up – Any coating operation used to cover minor imperfections appearing after the main coating operation.
- (12~~53~~) Transfer Efficiency – The ratio of the weight or volume of Coating solids adhering to an object to the total weight or volume, respectively, of Coating solids used in the application process, expressed as a percentage.
- (12~~64~~) True Vapor Pressure – The equilibrium partial vapor pressure exerted by an organic liquid at actual storage temperature.
- (12~~75~~) United States Environmental Protection Agency (USEPA) – The United States Environmental Protection Agency, the Administrator of the USEPA and his or her authorized representative.
- (12~~86~~) Vapor Recovery System – A system that is designed to collect or capture the vapors released and/or generated during the dispensing, transfer and/or storage of liquids, and is capable of storage, transferring and/or disposal of the recovered vapors.

- | (12~~97~~) Vapor Recovery System Efficiency – The estimated efficiency of the air pollution control technology which is incorporated, by means of an enforceable permit condition(s). Emission reductions attributed to lowering throughput rates or curtailing operating hours shall not be considered in determining abatement efficiency.
- | (1~~3028~~) Vehicle – A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.
- | (1~~3129~~) Volatile Organic Compound (VOC) – Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and Exempt Compounds.

[SIP: See SIP Table at <http://www.mdaqmd.ca.gov>]

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Appendix “B”
Public Notice Documents

1. Proof of Publication – Daily Press, February 20, 2018
2. Proof of Publication – Riverside Press Enterprise, February 20, 2018

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THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

02/20/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: February 20, 2018
At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

MOJAVE DESERT AQMD
14306 PARK AVE
ATTN: D. HERNANDEZ
VICTORVILLE, CA 92392

Ad Number: 0011080474-01

P.O. Number:

Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on April 23, 2018 at 10:00 A.M. to consider the proposed amendment of Rule 102 - Definition of Terms, Rule 1104 - Organic Solvent Degreasing; Rule 1162 - Polyester Resin Operations; and Federal Negative Declarations for Two Control Techniques Guidelines Source Categories.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of the proposed rules and the associated staff reports are on file and may be obtained from the Senior Executive Analyst at the MDAQMD Offices. Written comments may be submitted to Brad Poiriez, APCO at the above office address. Written comments should be received no later than March 22, 2018 to be considered. If you have any questions regarding Rules 102, 1104, 1162 or the Federal Negative Declarations you may contact Tracy Walters at (760) 245-1661 extension 6122 for further information.

The proposed amendment of Rule 102 - Definition of Terms is necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity.

Rules 1104 and 1162 are proposed for amendment to satisfy 42 U.S.C. §7511a (Federal Clean Air Act (FCAA) §192) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) and for major sources of ozone precursors, and to address comments received from the United States Environmental Protection Agency (USEPA) subsequent to the most recent rule amendments.

Federal Negative Declarations for Two Control Techniques Guidelines Source Categories are proposed for adoption because for those CTG source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

2/20

RECEIVED
MOJAVE DESERT AQMD
CLERK OF THE BOARD

FEB 26 2018

BY 

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PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Bernardino

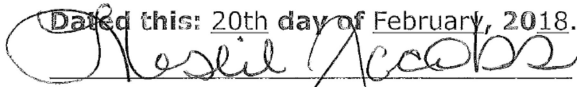
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the publisher of the DAILY PRESS, a newspaper of general circulation, published in the City of Victorville, County of San Bernardino, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of November 21, 1938, Case number 43096, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

February 20

All in the year 2018.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated this: 20th day of February, 2018.



Signature

Leslie Jacobs

This space is the County Clerk's Filing
Stamp

Proof of Publication of NOTICE OF HEARING

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on April 23, 2018 at 10:00 A.M. to consider the proposed amendment of Rule 102 - Definition of Terms, Rule 1104 - Organic Solvent Degreasing; Rule 1162 - Polyester Resin Operations; and Federal Negative Declarations for Two Control Techniques Guidelines Source Categories.

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The proposed amendment of Rule 102 - Definition of Terms is necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update

The Twelve

Rules 1104 and 1162 are proposed for amendment to satisfy 42 U.S.C. §57511a (Federal Clean Air Act (CAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) and for major sources of ozone precursors, and to address comments received from the United States Environmental Protection Agency (USEPA) subsequent to the most recent rule amendments.

Federal Negative Declarations for Two Control Techniques Guidelines Source Categories are proposed for adoption because for those CTG source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Published in the
Daily Press
February 20, 2018
(11-15)

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MOJAVE DESERT AQMD
CLERK OF THE BOARD

FEB 26 2018

BY 

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Appendix “C”

Public Comments and Responses

1. USEPA comments, Contained in a markup attachment titled MD Rule 1114 D2.EPA markup.docx, 1/12/2018.
2. CARB Email, Rebecca Newhouse, Subject: MD Rule 102 and question regarding “Bottom Loading” in Rule 462, March 7, 2018.

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1. EPA Comment

MD Rule 1114 D2.EPA markup

Main document changes and comments

Page 2: Comment [LN1]	LEVIN, NANCY	1/12/2018 2:56:00 PM
The rule requirements cover cleaning, so for consistency with “Applicability” we suggest adding “cleaning” to the definition of “Coating Application Operations.”		
Page 2: Comment [LN2]	LEVIN, NANCY	1/12/2018 2:57:00 PM
While Flow Coater is defined in Rule 102, Flow Coat is the term used in this rule. We suggest making the definition and term consistent.		
Page 6: Deleted	LEVIN, NANCY	12/26/2017 11:10:00 AM
0		
Page 8: Inserted	LEVIN, NANCY	12/26/2017 3:33:00 PM
Page 8: Deleted	LEVIN, NANCY	12/26/2017 3:13:00 PM
Page 8: Comment [LN3]	LEVIN, NANCY	1/12/2018 3:08:00 PM
We recommend inserting “or clean up” after “for surface preparation.”		
Page 11: Comment [LN4]	LEVIN, NANCY	1/12/2018 3:09:00 PM
SDAPCD Rule 67.11, SJVAPCD Rule 4606, BAAQMD Rule 8-32 and SBAPCD Rule 351 limit this exemption to 20 gallons per year. We recommend making the rule as stringent as these other district rules.		
Page 12: Comment [LN5]	LEVIN, NANCY	1/12/2018 3:11:00 PM
For clarity, consider adding the words “regulating those exempted activities” before the word “unless.”		
Page 12: Comment [LN6]	LEVIN, NANCY	1/12/2018 3:11:00 PM
We recommend adding recordkeeping for strippers to show compliance with (D)(7) and (C)(4)(b).		
Page 12: Comment [LN7]	LEVIN, NANCY	1/12/2018 4:14:00 PM
Section (C)(1)(b) was deleted from rule.		
Page 13: Comment [LN8]	LEVIN, NANCY	1/12/2018 2:41:00 PM
Section (C)(1)(b) was deleted from rule. It appears that “(C)(2)(b)” is a typo and should be “(C)(2)(a).”		
Page 13: Comment [LN9]	LEVIN, NANCY	1/12/2018 2:46:00 PM
We recommend deleting “VOC content of coating requirements” and instead refer to section (C)(5)(a) – Add-on Control System.		
Page 14: Comment [st10]	stong	1/12/2018 8:15:00 AM
D4457-02(2008) is also acceptable to use		
Page 14: Comment [st11]	stong	1/12/2018 8:21:00 AM
Section (C)(1)(b) was deleted from rule.		
Page 14: Comment [st12]	stong	1/12/2018 8:25:00 AM
Also, please allow EPA Reference Method 25A – Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.		
Page 14: Comment [st13]	stong	1/12/2018 8:24:00 AM
Change to 12/13/1991. The 2/16/17 date listed here is the date of EPA’s approval.		
Page 14: Comment [st14]	stong	1/12/2018 8:28:00 AM
Add: “..., and 40 CFR 51, Appendix M, Methods 204-204F, as applicable.”		
Page 14: Comment [st15]	stong	1/12/2018 8:36:00 AM

Add: "..., and South Coast Air Quality Management District "Guidelines for Demonstrating Equivalency With District Approved Transfer Efficiency Spray Gun September 26, 2002." SC R 1151 (h)(1)(F).

Page 16: Comment [st16]	stong	1/12/2018 9:09:00 AM
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Please correct numerator- missing " / " sign between VPi and MWi

$(W_i)(VP_i) / (MW_i)$

Page 16: Comment [st17]	stong	1/12/2018 9:11:00 AM
-------------------------	-------	----------------------

Please correct denominator. WSUB i should be W_i ,

Page 17: Comment [st18]	stong	1/12/2018 9:21:00 AM
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(7) and (8) seem to repeat (4)(a)(i) and (4)(a)(ii)

Page 18: Comment [LN19]	LEVIN, NANCY	1/12/2018 11:05:00 AM
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For clarity, suggest adding "from the source" after "emitted."

Page 18: Comment [LN20]	LEVIN, NANCY	1/12/2018 3:25:00 PM
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Equation seems to repeat (G)(6)

Header and footer changes

Text Box changes

Header and footer text box changes

Footnote changes

Endnote changes

1. District response to EPA Comment

Comments were submitted in conjunction with the amendment of Rule 1114, and all comments, except as indicated, were addressed in conjunction with the amendment of Rule 1114 on January 22, 2018.

1. Definition for Flow Coater modified to read:

“Flow Coat(er) – A Coating process and application system ~~with where~~ no air is supplied to the nozzle and where the paint flows over the part and the excess Coating drains back into the collection system.”

Definition now covers both the application process and equipment. The same modification was made to the definition for “Dip Coater” for clarification and consistency.

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2. CARB Comment

Tracy Walters

From: Newhouse, Rebecca <newhouse.rebecca@epa.gov>
Sent: Wednesday, March 7, 2018 8:22 AM
To: Tracy Walters; Michelle Zumwalt
Cc: LEVIN, NANCY
Subject: MD Rule 102 and question regarding "bottom loading" in Rule 462

Hi Tracy and Michelle,

Nancy is our EPA lead for Rule 102, and she asked me to review the gasoline-related definitions in Rule 102 used in rules 461, 462, and 463. When I was reviewing yesterday, I found a term used in Rule 462 that wasn't included in 462 definitions or Rule 102 definitions. Rule 462 (C)(1)(e) references "*bottom loading*" and 462 (C)(2)(a)(ii) references "*submerged fill loading*" and "*bottom fill loading system*". "*Submerged fill loading*" is defined in Rule 102, but not "*bottom loading*" or "*bottom fill loading*."

1 → Do you mind taking a look at this issue? I think the easiest fix would be to add in the term somewhere in Rule 102, instead of amending Rule 462, since Rule 102 is currently being amended. Let me know if you have time for a quick chat about this question this week after you've taken a look.

Thanks,
Rebecca

Rebecca Newhouse
U.S. EPA Region 9, Air Rules Office (AIR-4)
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3004
newhouse.rebecca@epa.gov

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2. District response to CARB Comment

1. Added definition for “Bottom Fill Loading (Bottom Loading)” as requested. Definition derived from Tehama County APCD Rule 4:36, 4/21/98 §3.1.

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Appendix “D”
California Environmental Quality Act
Documentation

1. Notice of Exemption – San Bernardino County
2. Notice of Exemption – Riverside County

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Mojave Desert Air Quality Management District

DATE FILED & POSTED 14306 Park Avenue, Victorville, CA 92392-2310

Posted On: 04/24/18 760.245.1661 • fax 760.245.2699

Removed On: 06/08/18 Visit our web site: <http://www.mdaqmd.ca.gov>

Receipt No: 36-04262018-254 Brad Poiriez, Executive Director

NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

☒ MDAQMD Senior Executive Analyst

PROJECT TITLE: Amendment of Rule 102 – *Definition of Terms*.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The proposed amendments to Rule 102 are necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity. This amendment is in response to comments received from the California Air Resources Board, the United States Environmental Protection Agency, and the Technical Advisory Committee.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

☒ Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed amendments to Rule 102 are exempt from CEQA review because this rule is administrative in nature, and there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: **TITLE:** Executive Director **DATE:** April 23, 2018

DATE RECEIVED FOR FILING:

City of Adelanto	Town of Apple Valley	City of Barstow	City of Blythe	City of Hesperia	City of Needles	County of Riverside	County of San Bernardino	City of Twentynine Palms	City of Victorville	Town of Yucca Valley
---------------------	-------------------------	--------------------	-------------------	---------------------	--------------------	------------------------	--------------------------------	--------------------------------	------------------------	-------------------------

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FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

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Removed: By: Deputy


Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Brad Poiriez, Executive Director

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Senior Executive Analyst

PROJECT TITLE: Amendment of Rule 102 – *Definition of Terms*.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The proposed amendments to Rule 102 are necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity. This amendment is in response to comments received from the California Air Resources Board, the United States Environmental Protection Agency, and the Technical Advisory Committee.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed amendments to Rule 102 are exempt from CEQA review because this rule is administrative in nature, and there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE:  **TITLE:** Executive Director **DATE:** April 23, 2018

DATE RECEIVED FOR FILING:

City of Adelanto	Town of Apple Valley	City of Bartow	City of Blythe	City of Hesperia	City of Needles	County of Riverside	County of San Bernardino	City of Twentynine Palms	City of Victorville	Town of Yucca Valley
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Appendix “E”

Bibliography

The following documents were consulted in the preparation of this staff report.

1. Bay Area Air Quality Management District, Reg I: *General Provisions and Definitions*, May 4, 2011.
2. Tehama County APCD Rule 4:36 – *Vapor Recovery Requirements at Bulk Petroleum Loading Facilities*, 04/21/98.

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